

**Introduced by Senator Price**

February 23, 2012

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An act to amend Sections 4001, 4003, 8000, and 8005 of the Business and Professions Code, relating to professions.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1237, as introduced, Price. Professions: pharmacists and court reporters: sunset dates.

(1) Existing law, the Pharmacy Law, provides for the licensure and regulation of pharmacies, pharmacists, pharmacy technicians, wholesalers of dangerous drugs or devices, and others by the California State Board of Pharmacy. Existing law authorizes the board to appoint an executive officer. Under existing law, the board and its authority to appoint an executive officer will be repealed on January 1, 2013. Under existing law, boards scheduled for repeal are required to be evaluated by the Joint Sunset Review Committee.

This bill would extend the operation of the California State Board of Pharmacy and its authority to appoint an executive officer until January 1, 2017, and would specify that the board is subject to review by the appropriate policy committees of the Legislature.

(2) Existing law provides for the licensure and regulation of court reporters by the Court Reporters Board of California within the Department of Consumer Affairs. Existing law authorizes this board to appoint an executive officer and committees as necessary. Existing law repeals these provisions on January 1, 2013.

This bill would extend the operation of these provisions until January 1, 2017, and would specify that the board is subject to review by the appropriate policy committees of the Legislature.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 4001 of the Business and Professions  
2 Code is amended to read:  
3 4001. (a) There is in the Department of Consumer Affairs a  
4 California State Board of Pharmacy in which the administration  
5 and enforcement of this chapter is vested. The board consists of  
6 13 members.  
7 (b) The Governor shall appoint seven competent pharmacists  
8 who reside in different parts of the state to serve as members of  
9 the board. The Governor shall appoint four public members, and  
10 the Senate Committee on Rules and the Speaker of the Assembly  
11 shall each appoint a public member who shall not be a licensee of  
12 the board, any other board under this division, or any board referred  
13 to in Section 1000 or 3600.  
14 (c) At least five of the seven pharmacist appointees to the board  
15 shall be pharmacists who are actively engaged in the practice of  
16 pharmacy. Additionally, the membership of the board shall include  
17 at least one pharmacist representative from each of the following  
18 practice settings: an acute care hospital, an independent community  
19 pharmacy, a chain community pharmacy, and a long-term health  
20 care or skilled nursing facility. The pharmacist appointees shall  
21 also include a pharmacist who is a member of a labor union that  
22 represents pharmacists. For the purposes of this subdivision, a  
23 “chain community pharmacy” means a chain of 75 or more stores  
24 in California under the same ownership, and an “independent  
25 community pharmacy” means a pharmacy owned by a person or  
26 entity who owns no more than four pharmacies in California.  
27 (d) Members of the board shall be appointed for a term of four  
28 years. No person shall serve as a member of the board for more  
29 than two consecutive terms. Each member shall hold office until  
30 the appointment and qualification of his or her successor or until  
31 one year shall have elapsed since the expiration of the term for  
32 which the member was appointed, whichever first occurs.  
33 Vacancies occurring shall be filled by appointment for the  
34 unexpired term.

1 (e) Each member of the board shall receive a per diem and  
2 expenses as provided in Section 103.

3 (f) ~~In accordance with Sections 101.1 and 473.1, this~~ *This*  
4 section shall remain in effect only until January 1, ~~2013~~ 2017, and  
5 as of that date is repealed, unless a later enacted statute, that is  
6 enacted before January 1, ~~2013~~ 2017, deletes or extends that date.  
7 ~~The~~ *Notwithstanding any other provision of law, the* repeal of this  
8 section renders the board subject to the review ~~required by Division~~  
9 ~~1.2 (commencing with Section 473) by the appropriate policy~~  
10 *committees of the Legislature.*

11 SEC. 2. Section 4003 of the Business and Professions Code is  
12 amended to read:

13 4003. (a) The board, with the approval of the director, may  
14 appoint a person exempt from civil service who shall be designated  
15 as an executive officer and who shall exercise the powers and  
16 perform the duties delegated by the board and vested in him or her  
17 by this chapter. The executive officer may or may not be a member  
18 of the board as the board may determine.

19 (b) The executive officer shall receive the compensation as  
20 established by the board with the approval of the Director of  
21 Finance. The executive officer shall also be entitled to travel and  
22 other expenses necessary in the performance of his or her duties.

23 (c) The executive officer shall maintain and update in a timely  
24 fashion records containing the names, titles, qualifications, and  
25 places of business of all persons subject to this chapter.

26 (d) The executive officer shall give receipts for all money  
27 received by him or her and pay it to the department, taking its  
28 receipt therefor. Besides the duties required by this chapter, the  
29 executive officer shall perform other duties pertaining to the office  
30 as may be required of him or her by the board.

31 (e) ~~In accordance with Sections 101.1 and 473.1, this~~ *This*  
32 section shall remain in effect only until January 1, ~~2013~~ 2017, and  
33 as of that date is repealed, unless a later enacted statute, that is  
34 enacted before January 1, ~~2013~~ 2017, deletes or extends that date.

35 SEC. 3. Section 8000 of the Business and Professions Code is  
36 amended to read:

37 8000. (a) There is in the Department of Consumer Affairs a  
38 Court Reporters Board of California, which consists of five  
39 members, three of whom shall be public members and two of  
40 whom shall be holders of certificates issued under this chapter

1 who have been actively engaged as shorthand reporters within this  
2 state for at least five years immediately preceding their  
3 appointment.

4 ~~This~~

5 (b) *This section shall remain in effect only until January 1, ~~2013~~*  
6 *2017, and as of that date is repealed, unless a later enacted statute,*  
7 *that is enacted before January 1, ~~2013~~ 2017, deletes or extends*  
8 *that date.*

9 (c) *Notwithstanding any other provision of law, the repeal of*  
10 *this section renders the board subject to review by the appropriate*  
11 *policy committees of the Legislature.*

12 SEC. 4. Section 8005 of the Business and Professions Code is  
13 amended to read:

14 8005. The Court Reporters Board of California is charged with  
15 the executive functions necessary for effectuating the purposes of  
16 this chapter. It may appoint committees as it deems necessary or  
17 proper. The board may appoint, prescribe the duties, and fix the  
18 salary of an executive officer. Except as provided by Section 159.5,  
19 the board may also employ other employees as may be necessary,  
20 subject to civil service and other provisions of law.

21 This section shall remain in effect only until January 1, ~~2013~~  
22 *2017, and as of that date is repealed, unless a later enacted statute,*  
23 *that is enacted before January 1, ~~2013~~ 2017, deletes or extends*  
24 *that date.*